

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COSMOPOLITAN INTERIOR NY :
CORPORATION, :
:

Plaintiff, :

- against - :

DISTRICT COUNCIL 9 INTERNATIONAL :
UNION OF PAINTERS AND ALLIED TRADES, :

Defendant. :
-----X

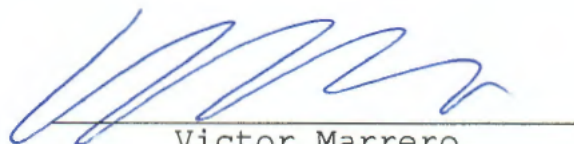
VICTOR MARRERO, United States District Judge.

On February 15, 2021, Defendant District Council 9, International Union of Painters and Allied Trades ("Defendant") submitted a letter requesting a premotion conference for the purpose of authorizing it to move for summary judgment in this action. (See Dkt. No. 59.) On February 18, 2021, Plaintiff Cosmopolitan Interior NY Corporation ("Plaintiff") submitted a letter opposing Defendant's request or alternatively requesting leave to file a cross-motion for summary judgment on the issue of liability. (See Dkt. No. 60.)

Having reviewed the correspondence, the Court DENIES Defendant's request (Dkt. No. 59). The Court is not persuaded that motions for summary judgment would constitute an appropriate use of judicial resources because disputed material facts, such as whether Plaintiff was removed from certain projects and what motivated any such removal, remain. (Compare Dkt. No. 59, at 2, with Dkt. No. 60, at 2-3.)

SO ORDERED:

Dated: New York, New York
23 February 2021


Victor Marrero
U.S.D.J.

USDC SDNY
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ORDER

19 Civ. 2669 (VM)